

DATA PROTECTION GOVERNANCE DOCUMENTS**ELA'S DATA SUBJECT ACCESS TO PERSONAL DATA PROCEDURE****1. Scope**

All processing of personal data by Epure, Lizac si Asociatii SCA ("ELA") is within the scope of this procedure.

2. Responsibilities

- 2.1 The Managing Partner is responsible for ensuring that the privacy notice(s) is correct and that mechanisms exist to make all data subjects aware of the contents of this notice prior to ELA's commencing of the collection of their data.
- 2.2 All staff that need to collect personal data are required to follow this procedure.

3. Procedure (Article 12 GDPR)

- 3.1 ELA shall identify the legal basis for processing personal data before any processing operations take place by clearly establishing, defining and documenting:
 - 3.1.1 the specific purpose of processing the personal data and the legal basis to process the data under:
 - 3.1.1.1 consent obtained from the data subject;
 - 3.1.1.2 performance of a contract where the data subject is a party;
 - 3.1.1.3 legal obligation that ELA is required to meet;
 - 3.1.1.4 protect the vital interests of the data subject, including the protection of rights and freedoms;
 - 3.1.1.5 carrying out processing that is in the public interest;
 - 3.1.1.6 processing necessary for the legitimate interests of the data controller or third party, unless the processing is overridden by the vital interests, including rights and freedoms, of the data subject(s);
 - 3.1.1.7 other national law obligation.
 - 3.1.2 any special categories of personal data processed and the legal basis to process the data under:
 - 3.1.2.1 explicit consent obtained from the data subject;
 - 3.1.2.2 necessary for employment rights or obligations;
 - 3.1.2.3 protect the vital interests of the data subject, including the protection of rights and freedoms;
 - 3.1.2.4 necessary for the legitimate activities with appropriate safeguards;
 - 3.1.2.5 personal data made public by the data subject;
 - 3.1.2.6 legal claims;
 - 3.1.2.7 substantial public interest;
 - 3.1.2.8 preventive or occupational medicine, for the assessment of the working capacity of the employee, medical diagnosis, provision of health or social care treatment, or management of health and social care systems and services, under the basis that appropriate contracts with health professionals and safeguards are in place;

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- 3.1.2.9 public health, ensuring appropriate safeguards are in place for the protection of rights and freedoms of the data subject, or professional secrecy;
- 3.1.2.10 national laws in terms of processing genetic, biometric or health data.

4. Privacy notices**4.1 When personal data is collected from data subject and processed based on consent:****4.1.1 ELA must be transparent in its processing of personal data and shall provide the data subject with the following:**

- 4.1.1.1 ELA's identity and contact details of the Managing Partner and any data protection representatives;
- 4.1.1.2 The purpose(s), including legal basis, for the intended processing of personal data (clause 4.2 below);
- 4.1.1.3 Where relevant, ELA's legitimate interests that provide the legal basis for the processing;
- 4.1.1.4 Potential recipients of personal data;
- 4.1.1.5 Any information regarding the intention to disclose personal data to third parties and whether it is transferred outside the EU (in which circumstances, ELA will provide information on the safeguards in place and how the data subject can also obtain a copy of these safeguards);
- 4.1.1.6 Any information on website technologies used to collect personal data about the data subject;
- 4.1.1.7 Any other information required to demonstrate that the processing is fair and transparent (such as: retention period; information on the data subjects rights to access; right to lodge a complaint; right to withdraw consent; information on why processing is necessary if it's a statutory or contractual requirement; any automated decision making (profiling), and any other further purpose to the processing other than that originally collected for).

4.1.2 All information provided to the data subject must be in an easily accessible format (such as PDF, e-mail, printed letter), using clear and plain language, especially for personal data addressed to a child.**4.1.3 ELA facilitates the data subject's rights in line with its Data Protection Policy and this Data Subject Access Request Procedure.****4.1.4 Privacy notices for personal data processing are recorded in ELA's Privacy Notices Register.****4.2 When personal data is contractually required for processing:****4.2.1 ELA is entitled to process personal data without the consent of the data subject in order to fulfil its contractual obligations (such data may include: bank details to process salaries, postal address in order to supply products or service, etc.).**

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4.2.2 Privacy notice for this type of personal data processing is communicated to a job applicant during the application process and published on ELA's website.

4.3 When personal data has been obtained from a source other than the data subject:

4.3.1 ELA shall make clear the types of information collected as well as the source of the personal data and shall provide the data subject with the following:

4.3.1.1 ELA's identity (as data controller) and contact details of its Managing Partner and of any data protection representatives;

4.3.1.2 The purpose(s), including legal basis, for the intended processing of personal data;

4.3.1.3 Categories of personal data;

4.3.1.4 Potential recipients of personal data;

4.3.1.5 Any information regarding disclosing personal data to third parties and whether it is transferred outside the EU (in this circumstance, ELA will provide information on the safeguards in place and how the data subject can also obtain a copy of these safeguards);

4.3.1.6 Any other information required to demonstrate that the processing is fair and transparent (such as: retention period; information on the data subjects rights to access; right to lodge a complaint; right to withdraw consent; information on why processing is necessary if it's a statutory or contractual requirement; any automated decision making (profiling), and any other further purpose to the processing other than that originally collected for).

4.3.2 Privacy notices for personal data processing are recorded in ELA's ***Privacy Notices Register***.

5. Timing and exceptions

5.1 ELA shall provide the information stated in clauses 3 and 4 above within:

5.1.1 one month of obtaining the personal data, in accordance with the specific circumstances of the processing;

5.1.2 at the first instance of communicating in circumstances where the personal data is used to communicate with the data subject;

5.1.3 when personal data is first disclosed in circumstances where the personal data is disclosed to another recipient.

5.2 Clauses 3 and 4 above do not apply:

5.2.1 If the data subject already has the information;

5.2.2 If the provision of the above information proves impossible or would involve an excessive effort;

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- 5.2.3 If obtaining or disclosure of personal data is expressly identified by Romanian law; or
- 5.2.4 If personal data must remain confidential subject to an obligation of professional secrecy regulated by Romanian law, including a legal obligation of secrecy.

Document Owner and Approval

The Managing Partner is the owner of this document and shall ensure that it is kept up to date. A current version of this document is available to all members of staff on ELA's website on page "Data Protection", section "Policies & Procedures". This policy was approved by Decision of Partners on 15.02.2018 and is issued under the signature of the Managing Partner.

Signature: Doru Epure – Managing Partner

Date: 15.02.2018